

LCO email string #3 for FOIA

Mayo, Kathleen

Thu 8/21/2014 5:38 PM

To: Holst, Linda <holst.linda@epa.gov>; Swenson, Peter <swenson.peter@epa.gov>;

From: Mayo, Kathleen

Sent: Thursday, September 12, 2013 2:00 PM

To: Brett McConnell

Cc: Wester, Barbara; Horak, David

Subject: RE: question

Hi Brett,

If they are shared waterbodies (i.e. part of the lake is in WI and part in LCO boundaries) then it is definitely okay to name them in the Program Authorization application (otherwise known as TAS). If, however, they are entirely outside of the Reservation, then the LCO Program Authorization application cannot include the lakes in the list of waterbodies where you'll be establishing WQS. Only the waterbodies that are within the exterior boundaries of the Reservation can be included because this is telling everyone where LCO intends to set Tribal WQS. Once your WQS are approved by EPA, however, they may definitely reach outside of the tribal boundaries for various implementation activities.

If there are impacts to the water quality of Big Lac Courte Oreilles Lake from waterbodies outside the Reservation boundaries, then you can discuss it in the narrative portion of the application related to 'non-member impacts.' I'm cc'ing Barbara Wester our ORC attorney as well as David Horak in State/tribal program. WE could have a quick call with you to advise you if you'd like? Just let me know and I'd be happy to set it up.

Glad to hear you are making progress on the application. WE have one in-house that we're working on right now - so it's good to know LCO is coming in soon as well.

Take care,

Kathleen Mayo
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From: Brett McConnell [mailto:brettmc@cheqnet.net]

Sent: Thursday, September 12, 2013 12:18 PM

To: Mayo, Kathleen

Subject: question

Hey Kathy!

Long time no see. Anyway, we are putting the finishing touches on our TAS WQS Application and a question came up here. When we name our waters that we want to impose standards on I was wondering if we could name Sand and Whitefish which are two lakes outside the reservation boundaries that flow directly into Big lac Courte Oreilles Lake. We have extensive data on these. My initial thoughts on this were no. please let me know. Thanks, Brett